

# An Oxford City Election in 1687 as depicted by Egbert Van Heemskerck

By HAROLD S. ROGERS

EARLY in January, 1938, during my mayoralty, Mr. W. T. Coxhill, the Clerk of Accounts at Brasenose College, drew my attention to a reproduction in the *Illustrated London News* of a picture by Egbert Van Heemskerck entitled 'The Election in the Guildhall at Oxford' and signed and dated 1687.

Dr. John Johnson, the University Printer, and Mr. Greening Lamborn offered some conjectures as to the scene represented and the identity of the building was established by Mr. E. E. Skuce, the City Librarian, who cited an illustration in Ingram's *Memorials of Oxford* (1838) of the old Domus Conversorum which was known in the 17th century as the Guildhall.

A drawing, enlarged from Ingram's small cut, now hangs in the Common Room of the Town Hall. This shows more clearly the transomed window which occurs on the left-hand side of the picture. The window appears to be of the late 16th or early 17th century in date and was probably inserted in the much older wall to light the upper end of the main chamber when it was taken into use for meetings of the Council.

In the centre of the end wall, as the photograph reveals, are two coats of arms—the royal arms and supporters of Queen Elizabeth above with the city arms and supporters below; the latter has the encircling ribbon, an augmentation granted in her reign, and is dated 1577. It is of interest to record that this achievement of the city arms is preserved in the Town Hall where it now hangs above the doorway leading to the magistrates' room.

Believing the picture to be of great local as well as of artistic interest I wrote to Messrs. Spink & Son, in whose galleries it was on view and, on learning the price, I communicated the facts to a few people in Oxford who, I thought, would be sympathetic and asked them to join with me in acquiring it for the City.

When the first half dozen replies had brought guarantees of more than half the purchase price, I felt justified in approaching the vendors, but, on writing to make an appointment to view the picture and arrange for its reservation, I was informed that it had been sold the same day that my letter had been written.

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Three days later I received the following letter from Lord Wakefield of Hythe :

' Cheapside, 19 January, 1938.

' Dear Mr. Mayor

' A few days ago I purchased from Messrs. Spink & Son a painting by Egbert van Heemskerck entitled " The old Town Hall, Oxford " (*sic*) which I regard as a very interesting example of the work of the period.

' I now learn that you, on behalf of the City of Oxford, are very interested in this work, and have been in communication with Messrs. Spink.

' This suggests to me that the natural home for a painting with such definite associations is Oxford itself, and it therefore gives me very great pleasure to ask you, on behalf of the City of Oxford, to accept the gift of this picture.

' I can assure you that I shall be more than satisfied to know that this picture has found so appropriate a resting place.

' Yours sincerely

' WAKEFIELD.'

It was owing to the kind offices of Captain J. J. H. Spink that Lord Wakefield was made aware of the steps I had taken to secure the picture.

In due course the picture arrived and I announced the gift to the City Council on 26 January, the facts being fully reported in the *Oxford Mail* of that date. At the next meeting of the Council, on 7 February, the gift was formally accepted and a vote of thanks was accorded to Lord Wakefield for his generous action.

Interest in this picture has been revived by an excellent photograph (PL. xiv), the work of the University Press, which brings out with great clarity the details of the painting.

Sir Geoffrey Callender, Director of the National Maritime Museum, has kindly examined the painting, together with the relevant passages in the Oxford Council Acts,<sup>1</sup> and has supplied the following note on the election itself and the events which led up to it, together with a short note on Egbert van Heemskerck and his work :

'The painting of the Oxford City election in 1687 is by Egbert van

<sup>1</sup> The Acts for the period in question are published in *Oxford Council Acts, 1665-1701*, ed. M. G. Hobson, O.H.S., new series, II (1939). In her preface Miss Hobson refers to this picture and the conditions governing elections. As to the provenance of the work she says : ' It is not known who commissioned the painting of such a propaganda picture, but possibly one of the " country gentlemen " who are so much in evidence during these years of political and religious unrest had something to do with it.'

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Heemskerk, the younger, born at Haarlem in 1645. He was almost certainly the son of Egbert van Heemskerk the elder who is remembered for his portrayal of ale-house scenes with boors carousing or quarrelling. The younger artist came under other influences, but favoured the same subjects that had engaged his father's brush. As the date of this picture proves, he visited England during the reign of James II and, when William III ascended the throne, he settled down here and enjoyed the patronage of the Earl of Rochester. He died in London in his sixtieth year in 1704.

'His pictures are infused with a sense of humour, and depict, in addition to tavern scenes and country sports, incantations, spectres and eccentric subjects in which he displayed a talent for inventiveness and ingenuity. Adverse critics, however, have complained of his colour as somewhat cold and heavy.

'The picture commemorates the election of an alderman on 14 March, 1687, or (according to modern reckoning) 1688, the year of the abdication of James II. The scene then enacted was the culmination of a series of events which need to be briefly reviewed if the significance of the picture is to be properly appreciated.

'On 15 September, 1687, a letter from the King reached Oxford instructing the Mayor to dismiss from their offices Alderman Sir William Walker, J.P., and Alderman Thomas Fifield, J.P., together with a number of less eminent members of the Corporation, as persons unacceptable to the Crown. Alderman Fifield had been Mayor of Oxford in 1676 and Alderman Sir William Walker had been three times Mayor—in 1674, 1683, and 1684. The government of Oxford in 1687 was conducted in accordance with the terms of a charter granted by Charles II three years previously which reserved to the Crown the right of appointment to high office; unpopular as the King's intervention must have been, no resistance therefore was offered.

'It remained to elect two aldermen to fill the vacancies, and the King's letter directed that the choice of Oxford should fall on William Wright and Robert Pawling. This misapplication of the royal prerogative cut at the roots of popular election, and was without doubt a chief contributing cause of the King's impending downfall. Oxford seems to have had an undivided regard for William Wright, who was elected forthwith, but nothing would induce Robert Pawling to accept civic honours.

'On 14 March, 1687-8, six months after the King's command concerning him had reached Oxford, a Council was called<sup>1</sup> to hear another letter from the

<sup>1</sup> Antony Wood in his diary under date 14 March, 1687, says, 'In the morning a common council at Gildhall', and comments, 'Strange alterations made at this time in regulating corporations and putting in and out justices of the peace and other officers, to the great discontent of the nation. Great things a(re) designed which time will reveal'; see *Life and Times of Antony Wood*, ed. A. Clark, III, O.H.S. xxvi (1894), 260.

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King in which His Majesty withdrew his previous nominee and substituted Richard Carter.

'The King's "hastener" having been read, the machinery of election was set in motion and revolved slowly on that 14 March. Mr. Toby Browne (Mayor of Oxford five years later) was sent for and attended immediately. Votes were cast, not by ballot, but by "voices", and Mr. Carter, the royal nominee, found 41 supporters and Mr. Browne 20. The candidates thereupon submitted themselves to the Common Council (for the government was then bi-cameral) and the royal nominee receiving no votes at all, Mr. Toby Browne found himself unanimously recommended to the Mayor for election as alderman and justice of the peace. On hearing, however, that the King had ordered the return of his opponent, he refused to serve and was allowed to leave the chamber without the customary imposition of a fine.

'A new candidate was now introduced—Mr. Thomas Hunsdon (Mayor of Oxford in 1697)—and once more there was a count by "voices". Mr. Carter this time found 49 supporters and Mr. Hunsdon two. The candidates repaired to the lower house where Mr. Carter received 61 votes and Mr. Hunsdon 128. Back they came to the chamber and it was resolved to decide the issue by taking the grand aggregate of votes cast in both houses. By this procedure Mr. Carter was adjudged to have received 110 votes and Mr. Hunsdon 130. The Mayor then declared Mr. Hunsdon duly elected an alderman of the city and justice of the peace, but Mr. Hunsdon, on learning (doubtless from the King's messenger) the will of the Sovereign, declined to serve and, like Mr. Toby Browne, was allowed to depart without payment of a fine.

'Thus, with undisguised contempt for time-honoured constitutional formalities, James II imposed his will on loyal lieges whose patience was wearing thin.

'After four days' adjournment the Council met again on 19 March, and, judging further resistance unprofitable, formally elected the King's nominee.

'Six months afterwards they would appear to have desired a better understanding with the central government for, on 15 September, 1688, they elected Alderman Richard Carter, J.P., as Mayor of Oxford. This action excited fresh indignation in the suspicious mind of James II and, declining what had been done to placate him, he dismissed the very man whom he had compelled the City to accept. A few months later William of Orange landed at Tor Bay and Oxford elections ceased to attract the attention of the outside world.

'In the centre of the picture and at the back of the chamber stands the bearer of the royal missive (which is held aloft) with a personal retinue in

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support of his authority. On his left, and obviously disturbed by the irregularity of the proceedings, sits the Mayor, Councillor John Payne, in his robes, with the Bailiffs, Richard Wood and John Taylor, on his right. A barrier defines the limits of the Council Chamber proper, and in the foreground, that is outside the precincts, the general public are represented by old Biddy the orange-seller and a few inquisitive spectators, old and young.

‘Whether the short stocky figure picking his way down the steps is Mr. Toby Browne or Mr. Thomas Hunsdon it is not possible to state with certainty. Nor is it clear whether he is being patted on the back for his independence in refusing to serve or being buffeted for the same reason. But at least we can be sure that the tall gentleman, mopping his brow and jeered and jibed at by the demonstrators, is Mr. Richard Carter, the King’s nominee, whose only serious handicap on 14 March would appear to have been his popularity with the King. He is entitled to the benefit of the doubt, and at least it should be said on his behalf that he probably resented the royal interference with local government as much as any one.’



'THE ELECTION IN THE GUILDHALL AT OXFORD', SIGNED AND DATED 1687,  
BY EGBERT VAN HEEMSKERK THE YOUNGER  
From the original painting now in the Town Hall, Oxford.

*Ph. Oxford University Press.*